

USSN: 10/763,071

Group No. 2819

Examiner: Wamsley, Patrick G

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Best Available CopyREMARKSAmendments to the claims

Claims 1-16 are pending in the application. Claim 14 has been amended to incorporate the features of claim 16. Claim 16 has been canceled without prejudice. No new matter has been added.

Claim Rejections – 35 USC § 103

In the Action, the Examiner rejects claims 14-16 under 35 USC § 103(a) as being unpatentable over the Admitted Prior Art (APA), in view of U.S. Pat. No. 6,597,303 to Cosand. The Applicant respectfully disagrees.

Claim 14 as amended recites "[a] non-return-to-zero digital-to-analog converter . . . having a first input, a second input and an output . . . wherein the first input is a digital voltage input and the output is an analog current output" (emphasis added). According to the Examiner, such feature is disclosed in Cosand, column 2, lines 16-24. That passage of Cosand makes reference to Figure 1 of Cosand. However, with reference to Figure 1 of Cosand, although a current signal is output at the collectors of Q1 and Q2, the output of the circuit of Figure 1 in Cosand is read at nodes A and B, and that output is a voltage digital signal, as also stated on column 2, lines 22-24 of Cosand (. . . a voltage difference . . . which is an amplified replica of the input voltage difference at the bases of Q1 and Q2) and not "an analog current output" as recited in claim 14 as amended.

In view of the above, the Applicant submits that the Examiner is not in a condition to make a prima facie 35 USC § 103 case against claim 14. Therefore, claim 14 is patentable over APA and Cosand, together with claim 15, at least by virtue of its dependence on claim 14.

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Allowable subject matter

The Examiner states that claims 1-13 are allowed. The Applicant thanks the Examiner for the indication of allowability of those claims.

The Applicant submits that all claims of the application as amended herein are in condition for allowance. Prompt issuance of a Notice of Allowance is earnestly solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax no. (571)-273-8300 on

Respectfully submitted,

August 2, 2005
(Date of Deposit)

Susan Papp
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